

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MARCUS DION BROOKING,

Plaintiff,

v.

SERGEANT CLEAVER,

Defendant.

No. 3:15-CV-02134

(Judge Brann)

ORDER

AND NOW, this 9th day of June 2020, in accordance with the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that:

1. The Report and Recommendation of Magistrate Judge Joseph F. Saporito, Jr. (Doc. 37) is **REJECTED**.
2. Plaintiff Marcus Brooking's opposition to Defendant's motion for summary judgment (Doc. 38, Exhibits C and D) are deemed to have been timely filed.
3. This case is remanded back to Magistrate Judge Saporito for further proceedings.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

United States District Judge